

REMARKS

Reconsideration of this application is respectfully requested in view of the following remarks.

Claims 1-5 and 7-15 remain pending in this application. Claims 1, 7 and 11 have been amended hereby. Support for the amendments to the claims can be found in e.g., paragraphs [00336]-[0038] of the application. No new matter has been presented. For the reasons set forth below, Applicant respectfully submits that all of the claims pending herein are in condition for allowance.

In the Office Action,

- Claims 1-5 and 7-15 were rejected on the ground of nonstatutory obviousness-type double patenting over claims 1-8 of U.S. Patent 7,013,156;
- Claims 1, 3-5, 7 and 9-15 were rejected under 35 U.S.C. §103(a) as being unpatentable over McIntosh (U.S. 2003/0171119) in view of Serbetciouglu et al. (U.S. Patent 5,719,918, "Serbetciouglu") and Clingerman (U.S. 7,336,941); and
- Claims 2 and 8 were rejected under 35 U.S.C. §103(a) as being unpatentable over McIntosh in view of Serbetciouglu, Clingerman, and further in view of Lam et al. (U.S. patent 6,782,276);

To the extent these grounds of rejection might again be applied to claims presently pending in this application, they are respectfully traversed.

With regard to the obviousness-type double patenting rejecting, Applicant notes that the claims of U.S. Patent 7,013,156 are directed to an intermediary network system that is logically disposed between ANSI- and GSM-compliant networks, wherein the intermediary sends "appropriately timed acknowledgement messages" to the GSM-compliant network when an SMS message is being exchanged with the ANSI-compliant network. There appears to be nothing in U.S. 7,013,156 that would suggest "creating an artificial International Mobile Subscriber Identity (IMSI) value based, at least in part, on the carrier to which the second mobile station subscribes, wherein the artificial IMSI value is not an IMSI value assigned to the second mobile station," as required by the claims as amended herein.

Applicant's undersigned representative has attempted several times, without success, to contact the Examiner by telephone to discuss this matter. The Examiner is encouraged to contact the undersigned at his earliest convenience to bring this particular issue to a resolution.

Regarding the rejections based on prior art, as indicated on page of the Office Action, those prior art rejections would be vacated upon entry on the foregoing amendment, which is identical to the proposed amendment provided via facsimile to the Examiner on February 2, 2010.

As such, all grounds of rejection have been addressed, and all of the claims in this case are believed to be in condition for allowance. Should the Examiner have any questions or determine that any further action is desirable to place this application in even better condition for issue, the Examiner is encouraged to telephone Applicant's undersigned representative at the number listed below.

Dated: May 21, 2010

Respectfully submitted by:

EDELL, SHAPIRO & FINNAN, LLC
CUSTOMER NO. 27896
1901 Research Boulevard, Suite 400
Rockville, MD 20850
(301) 424-3640

/Lawrence D. Eisen/
Lawrence D. Eisen
Reg. No. 41009